

# planning

## supplement to background



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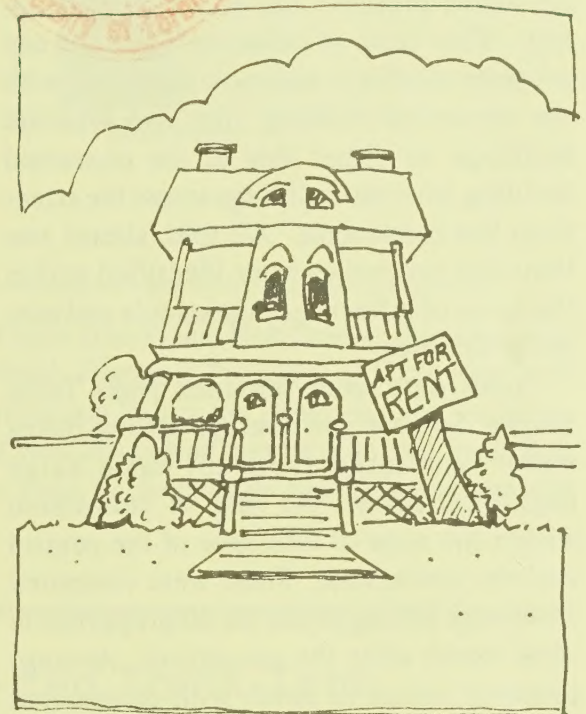
April 11, 1988

### THERE GOES THE NEIGHBOURHOOD ?

Accessory apartments in owner-occupied dwellings are introduced in residential areas in response to market demands. The majority of these rental units are created illegally because zoning regulations typically prohibit such conversions. Neighbourhood groups associate them with parking and traffic problems, a deteriorating social fabric and a change in the physical appearance of the neighbourhood. Ultimately, people fear that these changes will cause a decline in property values.

Given the current shortage of affordable housing, the creation of additional dwelling units through the conversion of existing properties has obvious social benefits. Many single-family homes are under-utilized and these homes are often located in areas where housing shortages are most acute.

The Ontario Ministry of Housing is very much aware of the potential benefits to be derived from the renovation of the housing stock through the creation of additional accessory apartments. It recently commissioned Ekos Research Associates to undertake a study to determine the actual effect



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that accessory apartments have had on neighbouring property values.

The study focussed on Ottawa and Toronto, the only areas where sufficient information was available on the existence of accessory apartments, including the illegal units. Samples were chosen of about 100 owner-occupied homes in each city in which accessory apartments had been recorded. Each property was matched with a control property, judged to be similar on the basis of four criteria: location, condition, structure type and size. A "zone of influence" was defined surrounding each converted property and each control property. This "zone of influence" included any property sharing a common party wall with the converted building, plus two separate buildings on either side of the converted building, plus two buildings across the street from the conversion. All told, almost two thousand properties were identified within the zones of influence of the sample and control properties.

Sales data were obtained from Teela Market Surveys and average selling prices were calculated from all valid sales registered before the year of conversion within the zone of influence of the control and the conversion. These were compared to average selling prices for all properties in these zones after the conversion. Average property values in zones with conversions were found to have increased by 1% after adjustment for overall housing price fluctuations. In zones without conversions, property values actually decreased by 3.6%. This difference was not deemed to be statistically significant. The conclusion was simply that the neighbourhood impact of accessory apartments is typically benign.

An interesting but unexpected finding was that areas with conversions tended to have substantially higher volumes of sales

activity after the conversion took place than did the control group. This could mean that large numbers of people "bailed out" and left the neighbourhood following the conversion activity. The consultants on the study suggested it was merely a reflection of increased economic vitality stimulated in part by the conversion of under-utilized homes into apartments. He supported this view by noting that selling prices tended to be relatively strong. This would not be the case in areas where people were selling in panic. In addition, a survey of public perceptions in the study area showed no difference in the perceived level of neighbourhood quality between the conversion and control groups.

## CONCLUSION

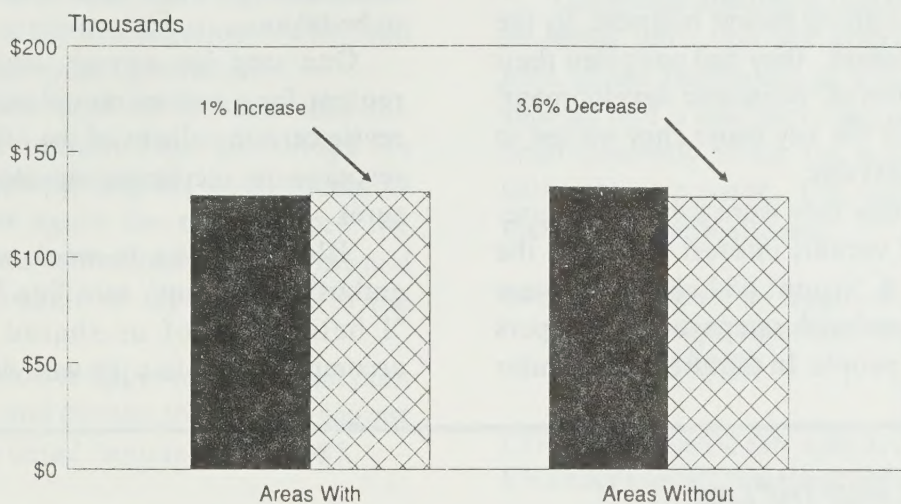
Generally, neighbourhood fears about the potentially negative impacts of conversion activity are unfounded.

While it would be unwise to imply that these findings apply to all neighbourhoods at all times, the Ministry of Housing's recent study lends support to a number of policy directions:

- Housing policies should ensure that accessory apartments are not inhibited by regulations aimed at protecting property values and neighbourhood quality.
- The burgeoning underground market in illegal conversions should be brought under sensible regulation to protect the safety and economic security of tenants and owners.
- A public awareness and communications program is needed to clear up misconceptions regarding accessory apartments.



### Change in Adjusted Selling Prices: Areas With Accessory Apartments Versus Areas Without\*



\*Weighted results: Toronto and Ottawa

The above is a shortened version of an article by Frank Graves and Rob Dowler that appeared in the Winter 1987 issue of **Canadian Housing**. Frank Graves is President of Ekos Research Associates Inc., Rob Dowler is Co-ordinator, Conservation Policy and Programs, for the Ministry of Housing. Copies of the full Ekos/Ministry of Housing report may be obtained from Rob Dowler at (416) 585-6503. The views expressed are those of the authors and do not necessarily reflect the views of the Ministry of Housing.

## Lobo Holds a Week-End Think-Tank

While the rest of the world was reneging on New Year's resolutions, municipal representatives of Lobo Township set aside the better part of the week-end January 15th and 16th to discuss their vision of "Lobo Township 2000".

Due to its close proximity to the City of London, the township is experiencing residential and commercial development pressures. Council and the Planning Advisory Committee felt it was important to

take a lead role in determining the future development of their municipality. They realized that would require a lot of concentrated thinking free from day to day distractions. So they packed their bags and headed for the seclusion of the Oakwood Inn in Grand Bend.

Councillor Rick Clark set the agenda. He invited Sue Macpherson of the Ministry's Community Planning Advisory Branch, to speak on the Friday evening. Sue



thought the task sounded challenging. How do you motivate a group, after a full week's work, to start brainstorming on a Friday evening about the future of their municipality? Her fears soon vanished. It was clear this group meant business. By the end of the session, they had compiled their own definition of "economic development" and had listed the key issues they wished to discuss the next day.

On Saturday they were joined by representatives of various interest groups in the community. A "vision" of Lobo in the year 2000 was shared with ratepayers, developers and business people. In the afternoon, senior

planner Richard Zelinka of the consulting firm of Jean Monteith and Associates helped the group to refine and prioritize the key issues they had identified. The end product was positive: an action plan and a list of steps to be taken.

One step has already been taken: a request for a community planning grant to revise certain policies of the official plan, in response to increasing development pressures.

"It's rewarding to work with such an enthusiastic group", said Sue Macpherson. "I believe all of us shared a sense of accomplishment in a job well done."

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## PLANNING AND THE LAW

### **NORTH YORK CONTROLLER COMMENDED FOR APPEARING AGAINST HIS COUNCIL'S BY-LAW**

Zoning by-law and official amendments to permit a two-storey medical office building on Sheppard Avenue in North York were opposed by a number of the property-owners in the vicinity and their opposition led to a municipal board hearing. The zoning change was from R4 to C1, with a maximum floor area above grade of 8,600 square feet, a minimum of 34 parking spaces and road access restricted to Sheppard Avenue, with no access from Harlock Boulevard.

In evidence before the Board, a planner for the City explained that the planning staff had recommended against the application on the basis that it was an intrusion of a commercial use into a predominantly residential neighbourhood. Council nevertheless adopted the two amending documents and at the same time authorized a study of Sheppard Avenue between Bathurst Street and the Allen Expressway. Five other zoning applications in the study area were subsequently deferred pending completion of

the study. The planner felt the approval of the current application was premature and could prejudice the results of the planning study. He admitted that the proposed building was compatible with the surrounding land uses, consisting of churches, single-family dwellings and commercial uses. A traffic engineer stated there were no concerns from a traffic point of view. An official plan amendment completed in 1982 dealing with land use policies on Sheppard Avenue, referred to eight design criteria. Two of these criteria had not been applied but could be considered in the site plan agreement. They dealt with a one-metre landscaping strip and a need to ensure compatibility of the building's design with surrounding buildings. Several residents gave evidence against the proposal. They pointed out that the owner had obtained consents in 1983 to divide the property into three residential lots fronting on Harlock Blvd.

The Board decided to approve the amendments subject to some changes to the by-law to incorporate certain site design features. A request for costs against the city



controller who acted as agent for the objectors was rejected. The Board stated that:

..."costs are not normally awarded unless there are unusual or exceptional circumstances. In this case, there were legitimate concerns raised at the hearing about traffic, land use compatibility and prematurity."

The Board went on to state that the elected representative had performed his duties in representing his constituents by appearing as agent for them before the Board. He was commended for his time and interest on behalf of the residents in the area.

The decision to approve the official plan amendment and dismiss the appeals against the by-law is dated September 24, 1987.

*Source:* Decision of the Ontario Municipal Board Don-Parr Developments, Howard Moscoe File R870292 and O870058

## **NORTH BAY CONDOMINIUM CONVERSION CHALLENGED**

An application to convert the Heritage Arms, a 6 storey apartment building in North Bay, to condominium was approved by the city council and appealed by several people and two organizations. The Board referred to the test set out in Section 8(1)(3) of Ontario Regulation 434/86 under the Rental Housing Protection Act. It stipulates that an application for conversion shall only be approved if the proposal does not adversely affect the supply of affordable housing in the municipality.

The Board calculated that at least 60 per cent of the population of North Bay could afford the rents being charged at the Heritage Arms. This was based on an assumed average rent of \$490 per month for a two bedroom unit and \$415 per month for a one bedroom unit. (The proponents of the conversion declined to testify.) The standard of affordability was set at 25% of income,

suggesting \$23,520 as the minimum earning capacity. Sixty per cent of North Bay's population was determined to fall above this figure.

The Board concluded that the removal of 69 rental units that are affordable to over 60% of the population at a time when the vacancy rate is less than 1 per cent would indeed adversely affect the supply of affordable rental housing. On August 25, 1987, the appeals were allowed.

*Source:* Decision of the Ontario Municipal Board 2515 Trout Lake Road: Heritage Arms File M860092

## **COURT RULING ON ADULT ENTERTAINMENT PARLOURS**

The Ontario Court of Appeal has confirmed the right of municipalities to use municipal by-laws to control adult entertainment parlours. The City of Windsor successfully appealed an Ontario Supreme Court decision which had struck down a licensing by-law under the Municipal Act on the grounds the city was trying to regulate public morals. Lawyers for the parlour owners had argued that the by-law infringed on the Charter of Rights and Freedoms.

The City had designated part of its downtown area as an improvement area pursuant to Section 217 of the Municipal Act and had later introduced a zoning by-law designating areas where licensed adult entertainment parlours are permitted. The court observed:

"The municipality, as a matter of sound planning, should be entitled to consider that different and varied land uses may dictate different treatment of land situate in different locations, and to provide for such different treatment in zoning or licensing bylaws without offending the Charter".

*Sources:* The Globe and Mail, Feb. 13, 1988  
The Windsor Star, Dec.1, 1987



## SECOND SEVERANCE REFUSED IN ERIN TOWNSHIP ALTHOUGH THE FIRST PRECEDED THE O.P.

A farmer in the Township of Erin was refused a severance by the land division committee of the County of Wellington. One reason was that the barn on the remnant parcel would not meet the separation distance criteria of the Agricultural Code of Practice. He removed the barn and reapplied but was again turned down and he appealed the decision.

The second refusal was based on a problem of conformity with the official plan, which allowed no more than one severance per property. A severance had been granted from the same property in 1972. The applicant argued that the Guelph and Suburban official plan, adopted and approved in 1973, was not

retroactively applicable to a 1972 severance. He quoted a Board decision, re Shaw and the Region of Halton, in support of his contention.

The Board commented that the particular circumstances in the Halton case may have persuaded the Board to grant the application, in the interests of natural justice and fairness. However, it pronounced itself unaware of any judicial pronouncement to the effect that official plan policies or criteria with retroactive effect are ultra vires. It concluded that the application was contrary to the general intent and spirit of the official plan and, on September 10, 1987, dismissed the appeal.

*Source:* Decision of the Ontario Municipal Board  
Bruno Carneiros  
File C870160

## NEWS FLASHES

### • Ontario Chapter of URISA formed

What's URISA ? The Urban and Regional Information Systems Association - the largest and oldest professional organization for people concerned with the effective use of information systems technology. An Ontario chapter was recently formed, with George Lysenko of The Sanibel Group as President. Membership includes urban and regional planners, surveyors, engineers, information systems staff, vendors of hardware and software, and consultants. The chapter publishes a bi-monthly newsletter. Prospective members are invited to contact Katharine Bladen at the Region of Peel Planning Department, 10 Peel Centre Drive, Brampton, L6T 4B9. Telephone : (416) 791-9400

### • No Comment

Sign on a South Carolina Exxon station: In order to preserve the architectural traditions of Charleston the brickwork and woodwork of the demolished Gabriel Manigault house 1800 AD were used in this station.

*Source:* **Man Made the Town** by Michael Middleton of Britain's Civic Trust, as quoted in **Planning**, the APA journal.

### • Planning by Toll free Numbers

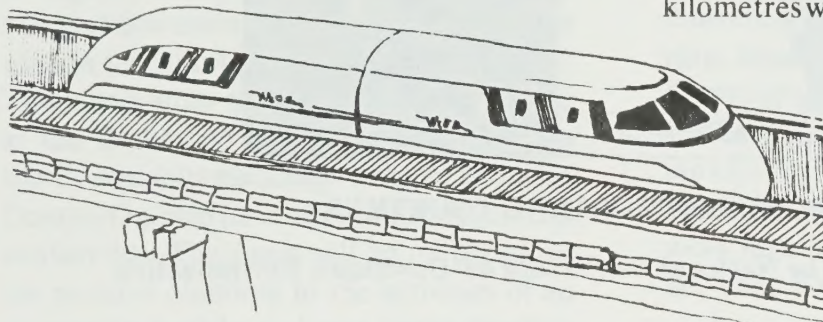
Each of the five field offices of the Community Planning Advisory Branch can now be reached by calling a toll free number :

Central		
Region	(Willowdale)	1-800-668-0230
Southeast	(Ottawa)	1-800-267-6554
Southwest	(London)	1-800-265-4736
Northeast	(Sudbury)	1-800-461-1193
Northwest	(Thunder Bay)	1-800-465-5027



● **Fast Train has Planning Implications**

A recent item in the **Sunday Star** described Japan's latest high-tech train which floats on magnets and can travel at 500



km/h. Construction of the first commercial application of the technology is scheduled within two years. The fastest train in the world used to be the Japanese Bullet (240

km/h) but it was overtaken by the French TGV, which can touch 300 km/h.

It is predicted that fast trains will eventually replace overland domestic airline flights. If it only takes one hour to travel 500 kilometres without wasting time for cumber-

some check-ins, ground maintenance or baggage handling, trips between New York and Washington, Toronto and Montreal or London and Glasgow could be reduced to an hour or less. Dubbed "the linear motor car", the magnetic

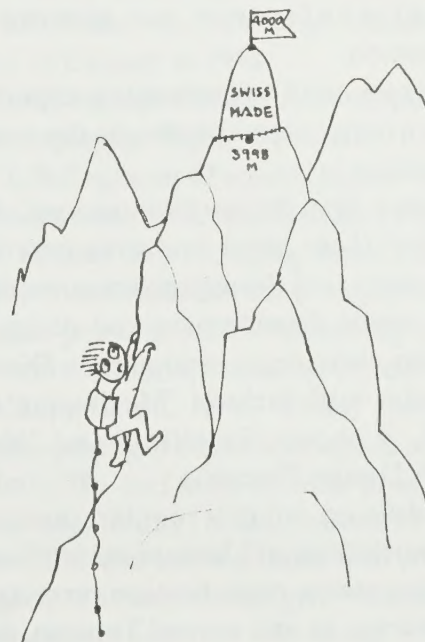
train will spark a revolution in city planning and the division of roles between regions, according to Professor Shigemochi Ishii of Tokyo University.

● **Swiss Village seeks to Boost its Alp**

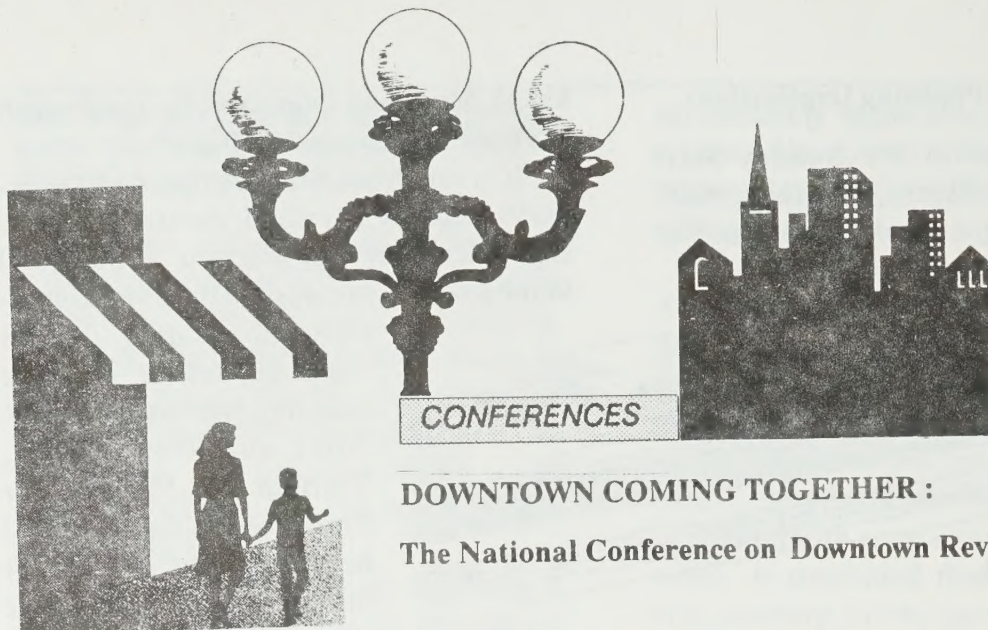
The village council of Ross Boden is reported to be seeking planning permission to increase the height of its local Alp by a few metres. It seems that improved technology is a mixed blessing to Ross Boden. The latest surveying techniques have led to increasingly accurate measurements of the height of the local mountain and each new measurement is a little lower than the previous one. The Fletschhorn is now a few metres short of 4000 and this is felt to be a serious detriment to attracting mountaineers who don't deem it worthy of attention, in comparison to the Matterhorn (4478 metres) and other illustrious peaks.

The cost of adding a little crag has been estimated at around \$100,000. Opposition is expected from environmentalists and other

groups who are concerned that it could set a precedent. The village council is nevertheless prepared to fight for its scheme all the way to the highest court if necessary.







## **DOWNTOWN COMING TOGETHER :**

### **The National Conference on Downtown Revitalization**

In large cities and small towns alike, revitalization projects have been changing the face of downtown cores across Canada for many years.

If you would like to see how your community could benefit, **DOWNTOWN COMING TOGETHER** is for you.

Urban planners, architects, politicians, municipal leaders, economic development officers, downtown managers, contractors, building owners, real-estate developers, retailers and business executives from across the country will gather at the Royal York Hotel in Toronto from May 8-11 for the first national conference on downtown revitalization.

Speakers with wide-ranging expertise will give a national perspective on downtown revitalization.

In more than 30 working sessions, they will share their ideas and give practical advice concerning the organization, marketing, economic development and design of downtown revitalization projects. Discussion topics will include "Motivating the Players", "Concept Retailing" and "Main Street: A Design Process".

In addition to the regular sessions, mobile workshops will feature tours of some of the downtown revitalization projects in business areas in and around Toronto, such

as Chinatown, the Skydome and new suburban downtowns.

The annual PRIDE awards luncheon takes place May 9 to recognize Ontario communities that have successfully revitalized their downtown cores.

Other special highlights include Exhibition '88, featuring products and services, as well as expert advice, related to building improvements.

Peter C. Newman, public affairs columnist and bestselling author of The Canadian Establishment, will open the conference with some insights into business and politics in Canada's downtowns.

Peter Mansbridge, who will soon replace Knowlton Nash as host of CBC-TV's The National, will share his knowledge of the media and suggest roles they might play in downtown revitalization.

To register for the conference, call or write to:

Mrs. Amanda Sherrington  
or Miss Anne-Marie Laderoute  
Co-ordination Plus Inc.  
65 Queen Street West  
Toronto, Ontario  
M5H 2M8

(416) 867-9067



**Central Ontario - Municipal Planners' Conference**  
**May 12, 1988**

Can a municipality maintain control of the quality of its community while providing enough flexibility to accommodate a broad range of new users? How do we measure the success (or failure) rate of existing policies? These and other mysteries will be discussed at the Richmond Hill Country Club when the Community planning Advisory Branch's Central Ontario field office holds its annual conference. The focus will be on pressures for reactive planning to the activities of an apparently healthy and very active development sector.

Reserve the date now : **May 12** at the **Richmond Hill Country Club**.

Registration packages will be mailed in late March. The contact person is **Ruth Melady** at (416) 224-7635 or 1-800-668-0230.

**Resolving Rural Development Conflicts**  
**Saint Andrews-By-The-Sea, N.B.**  
**June 8-11, 1988**

The Rural and Small Town Research and Studies Programme at Mount Allison University is co-sponsoring a conference on rural issues with the University of Maine at Farmington. Conference sub-themes include housing, growth management, economic development, resource management, the cost of providing rural services, rural planning models and approaches and rural poverty.

Contact:

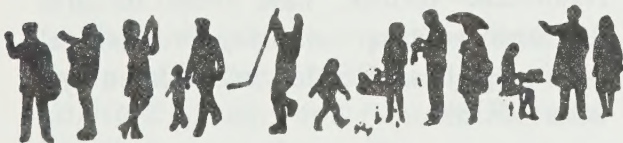
**Floyd Dykeman**, Director, RSTRSP,  
Mount Allison University,  
Sackville, N.B. E0A 3C0

(506) 364-2394

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**PEOPLE**



**Hans Blumenfeld** died on January 30 at the age of 96. Ontario was very fortunate that circumstances brought Hans to Toronto in the early 50's. Already a planner of world stature, the German-born Blumenfeld had been driven from the Soviet Union in the 30's, had later fled Hitler's anti-semitism and eventually found refuge in Toronto from McCarthyism in the United States.

Hans was Metro Toronto's first deputy planning commissioner and the prime author of its first official plan. He taught planning at the University of Toronto until

in his early nineties. He received many awards and honorary degrees from around the world and was named an officer of the order of Canada in 1978.

In his review of Hans' recently published autobiography, Walter Pitman wrote:

**"Life Begins at 65** sounds like an addition to the increasing literature about retirement that heralds the changing demography of North America. Anyone expecting yet another prescription for achieving a longer and more financially secure retirement will be disappointed. It is, rather, the candid autobiography of a man who was determined to drain life and work of every drop.

It was Roby Kidd, another great Canadian, who advised those who coveted a long life that they should give themselves to great causes and the well-being of others



until, at the end, there is nothing left to die. A more accurate description of Blumenfeld's philosophy of life could scarcely be found."

Hans Blumenfeld's life-long commitment to the cause of peace was sparked by the death of his older brother, Franz, in the first world war. Memorial donations may be made to the Franz Blumenfeld Peace Fund, Science for Peace, University College, University of Toronto, Toronto, Ont. M5S 1S1.

Planners also mourn the passing of **John Page**, professor of environmental studies at York University. Dr. Page graduated from the University of Manitoba in civil engineering and a few years later became a Jesuit priest. He earned a doctorate in planning and taught at the University of Manitoba until 1971. He was stricken by Alzheimer's disease several years before his death at the age of 64.

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Former Metro Planning Commissioner, Assistant-Deputy Minister of Housing and Vice-President of the Urban Development Institute **Wojciech Wronski** has been appointed a Citizenship Judge.

**W.A. (Bill) Ferguson** is now Planning Director of Robert G. McEwen & Associates Ltd. of Belleville. Bill's first job in planning was with the City of London in '58. He subsequently worked for the City of Sarnia; Municipal Planning Consultants and Totten, Simms Hubicki before embarking on a new career path with the Anglican church. Welcome back, Bill.

After many years as Planning Director for the Town of Ajax, **Bob Martindale** is now General Manager of Regon Developments in Ajax.

Scarborough Planning Department has quite a few new faces. **Rob Dolan** is a new Principal Planner. Rob was previously a Senior Planner with the Ministry of Municipal Affairs and prior to that with the Ministry of Natural Resources. There are three new Senior Planners: **Kerri Voumvakis** comes to the Community Planning Division after six and one-half years with the Ministry of Municipal Affairs' Plans Administration Branch. **Rod Hines** comes from the Ministry of the Environment in Toronto where he was the Environmental Assessment Review Coordinator. **Ann Rexe** assumes the duties of Senior Planner and Strategic Planner with Scarborough. Ann came from the City of Peterborough after fourteen years as their Policy and Research Planner. **Peter Swinton** was an Urban Project Designer with Rafael Burka Architects; he is now a Planner at the City of Scarborough.

**George Lysenko**, formerly of the Region of Durham and the Ministry of Municipal Affairs and **John Ryecroft**, formerly of the Ministry of Consumer and Commercial Relations (POLARIS) and the Region of Haldimand-Norfolk, have joined to form the Sanibel Group - offering Professional Services in Land Related Information Systems (LRIS).

**Gord Miller** has taken early retirement from the Regional Municipality of Ottawa-Carleton where he was the Director of the Plans Administration Division. Prior to his twenty year career with Ottawa-Carleton, he spent a number of years with the City of Ottawa during the Charlotte Whitton era in the mid-1950's ("Don't remind me", he says!). Gord plans to find some time for consulting along with pursuing many of his personal interests.



Ottawa-Carleton has two new Intermediate Planners. **George Vadeboncoeur**, formerly with the City of Gloucester, joins the Plans Administration Division; and **Robert MacKay**, formerly with the Township of Goldbourn, joins the Policy and Program Division.

Proctor & Redfern's Ottawa office has hired **Michael VonHausen**, formerly of Pavelk and Associates of British Columbia, as a Senior Planner. **Sally McIntyre** fills the position of Junior Planner after her recent graduation from Carleton University.

**David Parks** is the new Township Planner for the Township of Georgian Bay. David was previously employed as a District Planner for the District Municipality of Muskoka.

The "Acting" has been removed from **Steve Sajatovic's** title; he is now Director of Planning and Development for the City of North Bay.

**Bob Wheeler**, who was Assistant Planning Director in Chatham for nine years, is now that city's Director of Economic Development.

There are four new planners with the Region of Durham: **Barbara Hodgins** from Conlin Engineers and Planners, **Richard Szarek** from the Niagara Escarpment Commission in Georgetown, and recent graduates **Jamie McEwen** from Carleton University and **Dan Kennaley** from the University of Guelph. Prior to returning to school Dan was with the Ausable Bayfield Conservation Authority for four years.

At the Ministry of Municipal Affairs in Toronto, **Mark Conway** has left Plans Admin. to become a Senior Planner with the Toronto Harbour Commission and **Colin McGregor** has joined a private sector land

development company in Toronto called The Goldman Group. **Carmella Gibson Kendry** has come from the York Region Board of Ed. to join the Research and Special Projects Branch. **Phyllis Miller** and **Anne Dragicevic** have both moved from Municipal Affairs to Natural Resources. Phyllis is now Manager of the Conservation Authorities Section and Anne is a Management Analyst with the Corporate Policy Secretariat.

**Malcolm Boyd**, formerly Prince Edward County's Planning Director, is now Director of Planning and Development in Lambton County.

The County of Renfrew's Planning Department has two new people. Senior Planner **Greg Pulham** came to Renfrew from the Ausable Bayfield Conservation Authority. **Charles Cheesman** came from the Social Planning Council of the City of Niagara Falls.

The Town of Halton Hills Planning Department has promoted **Terry Korsiak** to a Senior Planner position.

**John H. Faulkner** is the Acting Planning Director for the Town of Midland. He is expected to occupy this position on a part time basis for about a year.

**John Scarphone** has become the Township of Woolwich's new Planning Technician. John recently graduated from a Planning Technician's course at Mohawk College.

**Gary Smith** started with the Toronto office of Delcan in January. He came to Ontario after working in Edmonton, the North West Territories and most recently, Saint John, New Brunswick, where he was mayor of the Town of Quispamsis.



**Lauren Millier** (formerly with Greer Galloway and Associates Ltd. of Peterborough) has recently joined the Law Firm of Woolley, Dale and Dingwall in Toronto where she will join **Dennis Trinaistich**, himself a former planner, in his practice of municipal and planning law.

**Janet Smolders**, formerly of the Lambton County Planning and Development Department, has become a Senior Planner in the London office of M. M. Dillon Limited.

**Mike Sanderson**, formerly of Urban Systems Ltd., Calgary, Alberta has joined the Kitchener Branch of the Proctor & Redfern Group.

**Daniel Paquette** has moved from Dillon Engineering to a Senior Planner position with Weston and Associates in Concord, Ontario.

Peterborough County's Planning Director, **Brian Goodreid**, has resigned to head the planning arm of a Peterborough engineering firm, M.J.Davenport & Associates.

The newest Long Range Policy Planner with the Town of Whitby is **Kathleen Power**. Kathy comes from the Ministry of Housing in Toronto.

**Jo-Anne Egan** has left the City of Toronto Department of Parks and Recreation to join the Metropolitan Toronto Planning Department, Policy Development Division.

**Jim Dymant** will be moving from Totten, Sims, Hubicki to Bob Lehman's firm in Barrie at the end of April. Jim was with our Ministry for several years prior to going to T.S.H.

#### Let Thy Speech be Short

"Use simple English and short sentences" was the message given to Britain's civil servants recently. A booklet issued by the prime minister's office stated: "It is no exaggeration to describe plain English as a fundamental tool of good government."

"Let thy speech be short, comprehending much in few words." Ecclesiasticus 32:8

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*The next issue of the Planning Supplement to Background is scheduled to appear in mid-July. If you have information for our "People" column, please call Pierre Beeckmans at (416) 585-6257 or drop him a line at*

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